

**By** the Committees on Regulated Industries; and Environment and Natural Resources; and Senator Collins

580-03281-23

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1                                   A bill to be entitled  
2       An act relating to water and wastewater facility  
3       operators; amending s. 403.865, F.S.; revising  
4       legislative findings and intent; defining the term  
5       "drinking water and wastewater facility personnel";  
6       amending s. 403.867, F.S.; conforming a provision to  
7       changes made by the act; creating s. 403.8721, F.S.;  
8       requiring the Department of Environmental Protection  
9       to issue water treatment plant operator licenses,  
10      water distribution system operator licenses, and  
11      domestic wastewater treatment plant operator licenses  
12      by reciprocity to certain applicants; providing  
13      licensure requirements; authorizing the department to  
14      issue temporary operator licenses during a declared  
15      state of emergency; requiring the department to waive  
16      the application fee for temporary operator licenses;  
17      requiring the department to adopt rules; providing an  
18      effective date.

19  
20 Be It Enacted by the Legislature of the State of Florida:

21  
22       Section 1. Section 403.865, Florida Statutes, is amended to  
23       read:

24       403.865 Water and wastewater facility personnel;  
25       legislative purpose.—

26       (1) The Legislature finds that:

27       (a) Water and wastewater services are essential to the  
28       health and well-being of all citizens.

29       (b) Drinking water and wastewater facility personnel are

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30 essential first responders. As used in this section, the term  
31 "drinking water and wastewater facility personnel" means any  
32 employee of a governmental authority as defined in s. 367.021; a  
33 utility as defined in s. 367.021; a state, municipal, or county  
34 sewerage system as defined in s. 403.031(9); or a public water  
35 system as defined in s. 403.852(2).

36 (c) The threat to the public health and the environment  
37 from the operation of water and wastewater treatment plants and  
38 water distribution systems mandates that qualified personnel  
39 operate these facilities.

40 (2) It is the legislative intent of the Legislature that  
41 any person who performs the duties of an operator and who falls  
42 below minimum competency or who otherwise presents a danger to  
43 the public be prohibited from operating a plant or system in  
44 this state.

45 Section 2. Section 403.867, Florida Statutes, is amended to  
46 read:

47 403.867 License required.—A person may not perform the  
48 duties of an operator of a water treatment plant, water  
49 distribution system, or a domestic wastewater treatment plant  
50 unless he or she holds an active and valid operator ~~a current~~  
51 ~~operator's~~ license issued by the department under s. 403.872 or  
52 s. 403.8721.

53 Section 3. Section 403.8721, Florida Statutes, is created  
54 to read:

55 403.8721 Requirements for licensure by reciprocity.—

56 (1) The department shall issue a license by reciprocity to  
57 any applicant who, at a minimum, meets all of the following  
58 requirements:

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59 (a) Is a water treatment plant operator, water distribution  
60 system operator, or domestic wastewater treatment plant operator  
61 and holds an active and valid license from another state, the  
62 Federal Government, a territory or tribal government that has  
63 been designated as the primary agency by the United States  
64 Environmental Protection Agency, or any unit thereof for which  
65 the licensure requirements, including education and operational  
66 experience, are comparable to or exceed the licensure  
67 requirements of s. 403.872.

68 (b) Has passed a licensure examination comparable to the  
69 licensure examination of the department, subject to approval by  
70 the department.

71 (c) Is not the subject of a disciplinary or enforcement  
72 action outside this state at the time of application for  
73 reciprocal licensure.

74 (d) Submits a completed application for reciprocal  
75 licensure and any required supporting documentation.

76 (e) Remits the application fee.

77 (2) The department shall issue a license by reciprocity to  
78 any applicant who has performed duties comparable to a water  
79 treatment plant operator, water distribution system operator, or  
80 domestic wastewater treatment plant operator while serving in  
81 the United States Armed Forces for which the requirements for  
82 performing the duties, including education and operational  
83 experience, are comparable to or exceed the licensure  
84 requirements of s. 403.872.

85 (a) Any person applying for a license by reciprocity under  
86 this subsection must, at a minimum, meet all of the following  
87 requirements:

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88       1. Has passed a skill assessment or competency examination  
89 comparable to the licensure examination of the department,  
90 subject to approval by the department.

91       2. Is not the subject of a disciplinary or enforcement  
92 action at the time of application for reciprocal licensure.

93       3. Submits a completed application for reciprocal licensure  
94 and any required supporting documentation.

95       4. Remits the application fee.

96       (b) If an applicant does not meet the requirements for  
97 licensure under subparagraphs (a)1. and 2., the department must  
98 award education and operational experience credits for licensure  
99 under s. 403.872.

100       (3) During a state of emergency declared pursuant to s.  
101 252.36, the department:

102       (a) May issue a temporary water treatment plant operator  
103 license, water distribution system operator license, or domestic  
104 wastewater treatment plant operator license by reciprocity to  
105 any applicant who meets the requirements of subsection (1) or  
106 subsection (2).

107       (b) Shall waive the application fee for a temporary  
108 operator license under this subsection.

109       (4) The department shall adopt rules to implement this  
110 section.

111       Section 4. This act shall take effect July 1, 2023.